(G.C.P.)J 455 (5,00,000)-11.2001) Spl-H.C.,A.S.,C.D.,78e

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

Civil Application No.2042 of 2004
In
Writ Petition No.5258 of 2003

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions and Registrar's order.	Court's or Judge's orders

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Shri Ranjit More for the applicant.

Shri Y.R.Naik for respondent No.1.

Shri M.S.Karnik for respondent Nos.2 to 5.

CORAM : R.M.S.KHANDEPARKAR, J

DATED : 15th October, 2004.

P.C.

. Heard. The learned advocate for the respondent No.1 has placed on record the copy of the order issued by the Government of India on 12th October, 2004 in relation to the sugar bags which are the subject matter of this application. In view of the said office order, there is no difficulty in granting the application as prayed for subject to that the applicant shall comply with the terms and conditions specified in the said office order dated 12th October, 2004 and to that extent, the order dated

18th August, 2003 in Writ Petition No.5258 of 2003 shall stand modified. It is made clear that the sale shall be by way of tenders to be issued and notice in that regard to be published in the national newspapers as well as local newspapers making it clear that the quantity of sugar bags for release in terms of the said order dated 12th October, 2004 to be despatched by 11th November, 2004. On sale of the sugar bags, as stated in the said order, the sale proceeds thereof shall be deposited in the Court within three days from the date of receipt of the said amount by the applicant. On deposit of the said amount in the Court, the Registry shall keep on investing the said sale proceed amount in any nationalised bank and shall keep so invested till further orders from this Court.

2. The respondent Nos.3 to 6 shall render all co-operation to the applicant for removal of the said quantity of the sugar bags from the godown which are stated to be under seal by the said respondents and ensure that there shall not be any sort of obstruction for proper implementation of the order passed herein as well as the order dated 12th October, 2004 passed by the

Government for release of the sugar bags.

3. The application accordingly stands disposed of.

4. Certified copy be expedited.